



7 County Center Drive
Oroville, CA 95965
(530) 538-7601 Telephone
(530) 538-7785 Facsimile

ADMINISTRATION * BUILDING * PLANNING

BUTTE COUNTY PLANNING COMMISSION AGENDA

March 13, 2008

TIME: 9:00 a.m.

PLACE: Board of Supervisors' Room
County Administration Center
25 County Center Drive
Oroville, CA 95965

I. PLEDGE OF ALLEGIANCE

II. ROLL CALL - Commissioners Leland, Marin, Nelson, Lambert and Chair Wilson

III. ACCEPTANCE OF AGENDA - Commission members and staff may request additions, deletions, or changes in the Agenda order.

IV. BUSINESS FROM THE FLOOR ON ITEMS NOT ALREADY ON THE AGENDA
(Presentations will be limited to five minutes. The Planning Commission is prohibited by State Law from taking action on any item presented if it is not listed on the Agenda)

V. CONSENT AGENDA Consent items are set for approval in one motion. These items are considered non controversial. No presentations will be made unless the item is pulled from the Consent Agenda for discussion. Any person may pull an item from the consent agenda.

A. [MEXT08-0001](#) – staff recommends a continuance to March 27, 2008

Name: Robert Walsh (SLMC) **Project:** Map Extension for Diamond Oaks
Subdivision 05-07, Time Extension MEXT08-0001

Planner: Carl Durling **APN:** 055-300-098 **Zoning:** AR-1

Location: On the east side of Pentz Road, approximately 0.35 miles north of Lago Vista Way, south of the Town of Paradise.

Proposal: Request for a 5 year extension of an approved subdivision map to divide an 11.66-acre parcel into ten (10) parcels ranging in size from 1.0 to 1.6 acres. An on-site loop road, which connects to Pentz Road at two different locations, would provide access to all of the proposed parcels. Sewage disposal for future dwellings on the site would be provided by individual, on-site septic systems. Domestic water

would be obtained from the Del Oro Water Company. The project site does not contain a listed toxic site.

There is a 10-day appeal period on decisions with the Clerk of the Board.

- VI. PUBLIC HEARINGS** The Chair will call for staff comments. The hearing will be opened to the public for proponents, opponents, comments, and rebuttals. The hearing will be closed to the public and discussion confined to the Commission. The Commission will then make a motion and vote on the item.

It is requested that public initiated presentations be limited to a maximum of 5 minutes so that all interested parties will have an opportunity to address the Commission. Following your presentation, please print your name and address on the speakers sheet so that the record will be accurate.

The recommendation of County staff is indicated below. It is only a recommendation and has not yet been considered by the Planning Commission. Copies of the Staff Report are available at the Planning Division Office.

- A. [MUP07-0002](#)** –staff recommends approval

Name: Verizon Wireless **Project:** Tentative Subdivision Map
Planner: Chris Tolley **APN:** 038-250-025 **Zoning:** A-40
Location: The parcel is located at 2003 Nelson Road, Oroville (west of the community of Nelson, at the intersection of Nelson Road and the Western Canal). (Sec. 30, Township 20N, Range 2E, M.D.B & M.)
Proposal: The applicant is requesting approval of a Minor Use Permit to collocate on an existing self-supported 194.2 foot tower (197.8 foot overall height) owned by American Tower Corporation. The collocation facilities will be centered at the 108 foot level. The property is zoned A-40 (Agricultural, forty acre minimum) and is designated OFC (Orchard and Field Crops) by the Butte County General Plan.

There is a 10-day appeal period on decisions with the Clerk of the Board.

- B. [TSM06-0013](#)** – staff recommends approval

Name: Robert Van Zile **Project:** Tentative Subdivision Map
Planner: Steve Troester **APN:** 068-346-008 **Zoning:** AR
Location: The project site is located on the southeast corner of the intersection of Hilldale Ave. and Mountain View Drive, approximately ¾ mile northeast of the Oroville City limits.
Proposal: The tentative subdivision map application proposes to divide a 2.3-acre parcel into SEVEN (7) lots on a cul-de-sac off Mountain View Drive. Lot size varies from 6,510 to 17,324 SF. Water would be provided by SFWP, and sewer by LOAPUD. One existing house on site will be retained.

There is a 10-day appeal period on decisions with the Clerk of the Board.

- D. [Revised Order to Comply, New Era Mine](#)**- staff recommends adoption of the Revised Order to Comply

Name: Ronald and Betty Logan (Owners) and Floyd Leland Ogle and Frank Noland, North Continent Land & Timber, Inc. (Operators)

Project: Revised Order To Comply, New Era Mine

Planner: Chris Thomas **APN:** 041-080-027 **Zoning:** FR-40

Location: 4095 Dry Creek Road, approximately 2.5 miles north of its intersection with Messilla Valley Road.

Proposal: Hearing to consider the Revised Order To Comply in regards to the current mining operation at the New Era Mine, issued on February 11, 2008 to Ronald and Betty Logan, Owners, and Floyd Leland Ogle and Frank Noland (President and Vice President, North Continent Land & Timber, Inc.), Operators.

There is a 30-day appeal period on decisions with the Clerk of the Board.

VII. GENERAL BUSINESS - This section of the agenda is to be utilized by the Planning Commission and Director of Development Services on items of interest, general discussion, or items for which staff has been directed to do research and bring back to the Commission. Items A, B, & C may not always be addressed at every hearing, but will always be listed as part of the agenda.

- A. Directors' Report
- B. General Plan/Zoning Ordinance Update
- C. Update of Board of Supervisors' Actions
- D. Legislative Case Law Update
- E. Planning Commission Concerns

VIII. CLOSED SESSION

IX. MINUTES - None

X. COMMUNICATIONS - Communications received and referred. (Copies of all communications are available in the Planning Division Office.)

XI. ADJOURNMENT